

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KIMBERLY MACK, as widow and next
friend of Decedent Joseph Mack,

Plaintiff,

v.

R.L.R. INVESTMENTS, INC., et al.,

Defendants.

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No. 3:17-CV-450-TRM-DCP

ORDER

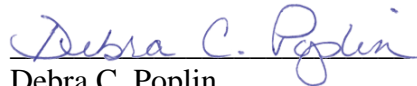
This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is a Motion to Amend Answer and Memorandum in Support [Doc. 51]. For grounds, Defendants state that they seek to insert additional or substitute language in various paragraphs so that their response to the Complaint is consistent with the facts learned during the ongoing discovery process and Defendants' investigation of the action. Defendants state that the proposed amendments do not add substantively new defenses and all are relatively minor in scope. Defendants assert that Plaintiff will not be prejudiced by the First Amended Answer. Further, Defendants state that on July 23, 2018, the date of the original deadline to amend the pleadings, the Court entered an Order [Doc. 50] cancelling the deadlines in this case. The Court further instructed the parties to submit a joint proposed scheduling order on or before August 20, 2018. Defendants explain that although a new deadline to amend pleadings will be set forth, they were already preparing their First Amended Answer at the time of the interim scheduling conference on July 19, 2018. Finally, Defendants attached the First Amended Answer as an exhibit [Doc. 51-1] to their Motion in accordance with Local Rule 15.1.

The Court finds that no party has responded in opposition to the Motion, and the time for doing so has expired. *See* E.D. Tenn. L.R. 7.2 (“Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought.”). In addition, the Court finds that Defendants’ Motion is supported by good cause, *see* Fed. R. Civ. P. 15, and it complies with the Rules of this Court, *see* E.D. Tenn. L.R. 15.1. Accordingly, Defendants’ Motion to Amend Answer and Memorandum in Support [**Doc. 51**] is **GRANTED**. Defendants **SHALL FILE** their First Amended Answer [Doc. 51-1] as their operative pleading in CM/ECF on or before **August 23 2018**.

IT IS SO ORDERED.

ENTER:



Debra C. Poplin
United States Magistrate Judge